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~~acts as an osmotic agent to maintain a volume of the aqueous formulation in the body cavity serving to separate tissues which otherwise may adhere to each other.~~

40. (Currently Amended) A ~~prevention~~ kit comprising an aqueous formulation of polysaccharide dextrin in an amount effective to reduce said adhesions, wherein the dextrin is unsubstituted and contains more than 15% of polymers with a degree of polymerisation (DP) greater than 12 and acts as an osmotic agent to maintain a volume of the aqueous formulation in the body cavity serving to separate tissues which otherwise may adhere to each other, and wherein the ~~prevention~~ kit is useful for surgical use for reducing the prevention of adhesions in a body cavity of animals or humans.

41. (Currently Amended) The [[A]] kit according to Claim 40, wherein the kit is biocompatible.

42. (Currently Amended) The [[A]] kit according to Claim 40, wherein the kit is bioresorbable.

43. (Currently Amended) The [[A]] kit according to Claim 40, wherein the kit is non-toxic.

Remarks

Claims 1, 2, 4-12, 14-18, 21-24, 26-35 and 39-43 are pending in the present application.

I. Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1-12, 14-18, 21, 22 and 39 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. We propose amending claim 1 to delete the recitations directed to "substituted" dextrin.

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II. Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1-35, 37 and 39-43 stand rejected under 35 U.S.C. § 112, first paragraph, as lacking enablement. We proposed amending the claims to delete the term "preventing."

III. Claim Rejections Under 35 U.S.C. § 103

Claims 22 and 40-43 stand rejected under 35 U.S.C. § 103 as being obvious in view of U.S. Patent No. 5,258,175 to Davies. We proposed amending claim 22 to delete the recitation directed to the dextrin "sulphate." We also propose amending claim 40 to incorporate the recitations of claim 1 to further clarify the dextrin composition in the kits of the present invention.

Claims 1, 2, 4-12, 14-18, 21, 22, 39 and 40-43 stand rejected under 35 U.S.C. § 103 as being obvious over U.S. Patent No. 5,587,175 to Viegas et al. in view of Davies. As noted above, we propose amending claim 1 to delete the recitations directed to "substituted" dextrin.

Claims 23, 24 and 26-35 stand rejected under 35 U.S.C. § 103 as being obvious over Viegas in view of U.S. Patent No. 4,886,789 to Milner. We propose amending claim 23 to include the recitations of amended claim 1 which is not subject to an obviousness rejection over Viegas and Milner.

Any questions that the Examiner may have should be directed to Shawna Cannon Lemon, Ph.D., Esq., who may be reached at (919) 854-1400.

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